

1. Applicant's election with traverse of Group I in the reply filed on 14 January 2009 is acknowledged. The traversal is on the grounds that all of the claims can be examiner without serious burden because the search would be the same. This is not found persuasive because there would be serious burden on the examiner because the groups are materially distinct and would require different searches.

The requirement is still deemed proper and is therefore made FINAL.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kinkelaar et al. shows a fuel reservoir for a fuel cell that uses a bladder to aid in fuel dispersal.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The following changes were agreed to in the application during the 3 March 2009 interview with applicant's representative:

Claims 22 and 29-35 are cancelled.

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4. The following is an examiner's statement of reasons for allowance:

none of the prior art of record teach a direct methanol fuel cell as claimed in claim 21 including a fuel reservoir and a second fuel reservoir and a valve element; which valve opens and closes by pressing the second fuel reservoir. The prior art of record does not teach the second fuel reservoir and a valve feeding to a fuel reservoir where the fuel is supplied by pressing the second fuel reservoir.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John S. Maples whose telephone number is 571-272-1287. The examiner can normally be reached on Monday-Friday, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John S. Maples/

John S. Maples  
Primary Examiner  
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JSM/3-16-2009